

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40014 of 2018

Arising Out of Case No. -3080 Year- 2004 SARAN COMPLAINT CASE District- SARAN

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1. Braj Bhushan Pandey @ Brij Bhushan Pandey, Son of Surbhdeo Pandey,
2. Uday Kumar Pandey, Son of Late Ghan Shyam Pandey, Both are
residents of Village- Punnadih, Police Station- Marhowrah, District- Saran,
Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Uday Prasad Singh, Son of Late Mukti Nath Singh, Resident of Village-
Rampur Khoram, Police Station- Marhowrah, District- Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 12-07-2018

Heard both sides.

The petitioners apprehend their arrest in complaint
case no. 3080 of 2004 under Section 3 and 4 of Dowry Prohibition
Act.

The complainant alleged that he settled marriage of
his daughter with one Uday Kumar Pandey, petitioner no. 2. Braj
Bhushan Pandey, petitioner no. 1, uncle of the petitioner
negotiated for settlement of marriage but thereafter the accused
persons demanded money and motorcycle as additional dowry and
broke the negotiation.

The learned counsel for the petitioner submits that
on the basis of the fard beyan of the informant the Marhowraj P.S.



Case no. 107 of 2002 was registered under section 34 of Dowry Prohibition Act. The police after investigation submitted final form finding the case false. Thereafter, the case proceeded on protest petition which was treated as complaint. It is further submitted that the marriage of petitioner no. 2 was never settled with the daughter of the complainant. The complainant wanted to blackmail the petitioners.

Taking into consideration the fact that police after investigation submitted final form finding the case false and the case proceeded on protest-cum-complaint, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rakesh Mani Tiwari, learned Judicial Magistrate, Saran at Chapra, in connection with complaint case no. 3080 of 2004 , subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/Rajan

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